

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PERCUTANEOUS REGISTRATION APPARATUS AND METHOD FOR USE IN COMPUTER-ASSISTED SURGICAL NAVIGATION

the specification of which ☒ is attached and/or ☐ was filed on _____ as United States Application Serial No. _____ or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Reg. No. 22,540; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; and Jeff E. Schwartz, Reg. No. 39,019.

Please address all correspondence to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.** 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor John B. Clayton	Inventor's Signature	Date
Residence 720 E. Wiggins Street, Superior, CO 80027		Citizenship U.S.
Post Office Address same		

Listing of Inventors Continued on Page 2 hereof. XX Yes ☐ No

Full Name of Second Inventor Anthony Melkent	Inventor's Signature	Date
Residence 1800 Pyramid Place, Memphis, TN 38132		Citizenship U.S.
Post Office Address same		
Full Name of Third Inventor Kevin T. Foley	Inventor's Signature	Date
Residence 220 South Claybrook, Suite 600, Memphis, TN 38104		Citizenship U.S.
Post Office Address same		
Full Name of Fourth Inventor Michael Sherman	Inventor's Signature <i>Michael C. Sherman</i>	Date 7/20/98
Residence 1000 Pyramid Place, Memphis, TN 38132 <i>5854 Haymarket Rd Memphis</i>		Citizenship U.S.
Post Office Address same <i>TN 38120</i>		
Full Name of Fifth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Eighth Inventor	Inventor's Signature	Date
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Post Office Address		
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Please address all correspondence to FINNEGAN, HENDERSON, FARROW, GARRETT & DUNN, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005. Telephone No. (202) 408-6000.

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Full Name of First Inventor John B. Clayton	Inventor's Signature	Date
Residence 729 E. Higgins Street, Superior, CO 80027		Citizenship U.S.
Present Office Address 1800		

Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

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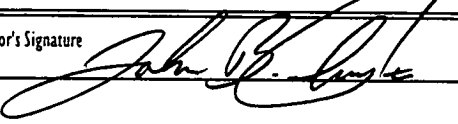
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Full Name of <i>Second Inventor</i> John B. Clayton	Inventor's Signature 	Date 7.13.98
Residence 720 E. Wiggins Street, Superior, CO 80027	Citizenship U.S.	
Post Office Address same		

Listing of Inventors Continued on Page 2 hereof. ☒ Yes ☐ No

Full Name of <i>Third Inventor</i> Anthony Melkent	Inventor's Signature <i>Anthony Melkent</i>	Date 7/13/98
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Post Office Address same		
Full Name of Third Inventor Kevin T. Foley	Inventor's Signature	Date
Residence 220 South Claybrook, Suite 600, Memphis, TN 38104		Citizenship U.S.
Post Office Address same		
Full Name of Fourth Inventor Michael Sherman	Inventor's Signature	Date
Residence 1800 Pyramid Place, Memphis, TN 38132		Citizenship U.S.
Post Office Address same		
Full Name of Fifth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Eighth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Ninth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Tenth Inventor	Inventor's Signature	Date
Residence		Citizenship
Post Office Address		

Listing of Inventory Continued From Page 1 hereof.

Assessment Docket No. 86149.0040-00000

Full Name of Second Investor Anthony McHenry	Investor's Signature	Date
Residence 1800 Pyramid Place, Memphis, TN 38132		Citizenship U.S.
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Full Name of Third Investor Norm T. Foley	Investor's Signature <i>N. Foley</i>	Date 8/31/98
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Post Office Address state		
Full Name of Fourth Investor Michael Thernage	Investor's Signature	Date
Residence 1800 Pyramid Place, Memphis, TN 38132		Citizenship U.S.
Post Office Address state		
Full Name of Fifth Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Sixth Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Seventh Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Eighth Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Ninth Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		
Full Name of Tenth Investor	Investor's Signature	Date
Residence		Citizenship
Post Office Address		

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

10/00 497

** TOTAL PAGE.06 **

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